

59/701933 2 of 3
525 Rec'd PCT/PTO 01 DEC 2000
Bencen & Van Dyke, P.A.

Intellectual Property Law

1630 Hillcrest Street, Orlando, Florida 32803

Phone: (407) 228-0328; Fax: (407) 228-0329; bvdlaw@yahoo.com

FACSIMILE COVER SHEET

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TO : The United States Receiving Office Under the PCT
ATTENTION : Authorized Officer Bruce E. Snow
Fax No. : 703-305-3230
No. PAGES : 3
FROM : Gerard H. Bencen
DATE : February 11, 2000
MESSAGE : PCT/US98/17769; Published as WO99/09914

Dear Authorized Officer Snow:

In connection with the captioned application, we note that no International Preliminary Examination Report (IPER) has been received to date by our Office. If you could please check this file and immediately fax a copy of the IPER to my attention, assuming such report has been established in this case, this would be greatly appreciated. Please contact me should there be any question in connection with this request.

In addition, in connection with the captioned patent application due to enter the national phase by February 27, 2000, it is hereby respectfully requested that prior to completion of the International Phase, that under Rule 92bis of the PCT, the captioned application should be amended as follows. A similar request has been faxed as of this date to WIPO in Geneva:

Please enter additional claims 59-65 as provided on substitute page 33 provided herewith. In addition, please add Medtronic Sofamor Danek, Inc., 1800 Pyramid Place, Memphis, Tennessee 38132, as an applicant and the following as additional inventors:

1. Charles L. Branch
188 Plantation Lane
PO Box 310
Advance, NC 27006
Citizenship: U.S.
2. Mingyan Liu
41, ru de la Fontaine Grelot
92340 Bourg-la-Reine, France
Citizenship: Chinese

2

3. Lawrence M. Boyd
688 S. McLean Blvd.
Memphis, TN 38104
Citizenship: U.S.

Please provide confirmation of acceptance of this requested change by return fax to my attention at 407-228-0329. Please contact me should any further action be necessary on our part to effect this requested change prior to completion of the international phase.

Sincerely,

Gerard H. Bencen

Reg #: 35,746

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92340 Bourg-la-Reine, France
Citizenship: Chinese

FOUO - REF 00460

**FEE TRANSMITTAL
for FY 2000**

Patent fees are subject to annual revision,
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT (\$ 3,720.00

Complete if Known

Application Number	N/A
Filing Date	12/1/2000
First Named Inventor	Grooms et al.
Examiner Name	Unknown
Group/Art Unit	Unknown
Attorney Docket No.	TB-104IA US

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

Deposit Account Name

Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.172. ☒ Payment Enclosed:☒ Check ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	690	201	345	Utility filing fee	
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	690	208	345	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from Below	Fee Paid
65	-20**= 45	X \$18.00	= \$810.00
15	-3**= 12	X \$80.00	= \$960.00
Multiple Dependent			

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim, if not paid
109	78	209	39	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$1,770.00

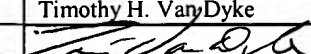
FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	380	216	190	Extension for reply within second month	
117	870	217	435	Extension for reply within third month	
118	1,360	218	680	Extension for reply within fourth month	
128	1,850	228	925	Extension for reply within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,210	241	605	Petition to revive - unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify): <u>Petition to Revive Unintentionally Abandoned Application</u>					\$1,240.00
Other fee (specify): <u>National Stage Fee per 35 USC 371, 37 CFR 1.492(a)(1)</u>					\$710.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$1950.00

SUBMITTED BY

Name (Print/Type)	Timothy H. VanDyke	Registration No. (Attorney/Agent)	43218	Telephone	407-228-0328
Signature				Date	12-1-2000

WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.

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